

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

PLANNING BOARD MINUTES
JANUARY 21, 2010

Meeting called to order at 7:00 p.m. by Chairman Tom Dow.

Attendance:

Chairman Tom Dow, Steve Jackson, Tom Moore, Vice Chairman Stan Prescott, Alternate Jeff Green, and Ex-Officio Steve Ives Gary Tasker, Henry Huntington, and Bob Ordway were absent. Jeff Green was appointed as a voting member for this meeting. Julie Robinson represented the Conservation Commission and John Reese represented the Fire Department.

Continuation of Zoning Amendment Public Hearing:

Chairman Dow re-opened the public hearing that was continued from January 13, 2010. He explained that the Board approved Zoning Amendments 2010-1 through 2010-5 for the ballot at that meeting. Discussion on Zoning Amendment 2010-6 was continued to this meeting so that additional research and language revisions could be done. The chairman read Zoning Amendment 2010-6. Zoning Board Chairman Dave Powelson stated that the main wording of the new proposed S 301.6.4 has been in the Zoning Ordinance for a long time and seems to conflict with S 301.4 which mentions pesticides. He said by allowing the uses of S 301.4 under S 301.6.4 the ordinance becomes more consistent. Julie Robinson and Earl Tuson both agree with the new wording proposed by Mr. Powelson. (S 301.6.4 No pesticides or fertilizers shall be used within the entire natural wetland buffer, **except for uses allowed in S 301.4.**) Mr. Tuson pointed out that there is no reason to refer to S 301.5 as initially proposed because none of those uses would involve pesticides. He said the reference to Best Management Practices in S 301.4 addresses most concerns. Tom Dow said that State laws address this and he is not sure it is the Board's place to be regulating pesticides. Steve Jackson noted that the language change is making the ordinance consistent. Julie Robinson said leaving it as just S 301.4 gives guidelines to the average homeowner. She said there are many regulations that oversee the use of pesticides and she feels this change makes it more succinct and clear. It was agreed to drop the reference to S 301.5 from the original draft. **Steve Jackson made a motion to move Zoning Amendment 2010-6 to the ballot as revised; seconded by Stan Prescott. All were in favor.**

Acceptance of Minutes:

December 17, 2009 Regular Meeting – There was a question on discussion of camping during the Sno-Bowl to be held at NHMS in February. The tapes of the December meeting will be reviewed. **Stan Prescott made a motion that the Board not act on the**

December 17, 2009 minutes until the February meeting in order to clear up the question on overnight camping; seconded by Steve Ives. Tom Moore said that it is important to figure out what was discussed and whether it was fan or competitor camping. Tom Dow said it was his recollection that it was camping in general. **All were in favor.**

January 6, 2010 Zoning Workshop – **Steve Jackson made a motion to accept the minutes as written; seconded by Tom Moore. All were in favor.**

January 13, 2010 Zoning Amendment Public Hearing – Tom Moore noted that he would like a change made on page 2, last paragraph, where it reads ‘Tom Moore said that the guideline came through as 20%.’ He said he believes he said ‘the guideline came through as a minimum of 20%’. **Jeff Green made a motion to accept the minutes as revised by Tom Moore; seconded by Steve Ives. All were in favor.**

Old Business:

#09-22, New Hampshire Motor Speedway – Amended Site Plan, Located on Route 106 in the C/R District, Map 61, Lot 9 and Map 51, Lot 18. Steve Jackson recused himself from this matter.

Chairman Dow gave an overview of the project and the location of the lots. Cindy Balcius of Stoney Ridge Environmental and John Zudell and Jerry Gappens of NHMS spoke about the project. Ms. Balcius noted that a site walk was done in the fall to review the major drainage project that was done on the infield. During that visit this area formerly referred to as L Lot was also viewed. Ms. Balcius explained that it became apparent during the process that they never came in for review of the work. She stated that a before and after plan has been done and went over the plans with the Board. She explained that some material was taken from the slopes. Ms. Balcius said that 1.6” of rain fell on August 11, 2009 and in that hour they had runoff from all the slopes. She explained the effect of the rain due to the lack of drainage. Nobis Engineering did a new drainage design and an amended Alteration of Terrain permit application. As a result, a new infiltration basin was created in this area.

Tom Dow asked about the grade of the slopes. John Zudell said they are 2:1. There was discussion of what is permitted for slopes. The regulations were reviewed. Stan Prescott noted that the slopes are not against any abutting properties and that is where the regulations would come into play. Tom Dow said that the access is so much better and this is a great improvement to the area. He noted that the quarry was a huge liability and it is better that it is filled in. Mr. Dow said that the work improved the usability of the area, the changes are for the better, and a nice area has been created through this work. He said the drainage is working well, noting that the area would previously flood and create a mess. Stan Prescott read from S 302.4 of the Zoning Ordinance. It was agreed that there was no question that this was done to enhance safety. Mr. Prescott said that the work would qualify under S 302.3 C of the Zoning Ordinance. Tom Moore read from S 302.1 about the purpose of the Steep Slope District, noting that none of the concerns listed apply in this instance. John Zudell noted that the slopes are the same as seen along highways. Mr. Prescott said the Board is looking at all the angles to be fair to all. Steve Ives said this work would appear to be a permitted use under S 302.3, outdoor recreation.

Chairman Dow read a request for a waiver for submitting engineering details for parking areas. **Steve Ives made a motion to grant the waiver; seconded by Jeff Green.** Stan Prescott said there has been mention of Lots 8 and 9. He asked if there are others involved since there are several numbers on the plans. John Zudell explained the numbering system being implemented for the different lots on the property. He said S8 and S9 were previously referred to as the L Lot. Mr. Prescott suggested that this be written on the plan as Parking Lot S9. Mike Labonte pointed out that some would have complaints if there was camping in the lot if it is labeled as a parking lot. There was lengthy discussion on how best to label the lots so there is no confusion as to their use. It was agreed to mark the plan as 'camping/parking' or make this reference in the notes. **All were in favor.**

Chairman Dow read a request for a waiver for the Site Specific Soils Map. Jeff Green said that he sees no reason to have to go through the work for this project. **Jeff Green made a motion to grant the waiver; seconded by Steve Ives. All were in favor.**

Tom Dow asked that S8 be added to the plan title so that both lots are noted. Tom Moore asked if all areas should be designated as camping/parking. Tom Dow said that a note was going to be added. Tom Moore pointed out that the plan refers to parking under the notes section. It was agreed that the plans will be marked with 'Lot' references (example: Lot S8, Lot S9) rather than designation of parking/camping. **Stan Prescott made a motion to approve the amended site plan with the following changes: 1) lot labeling; 2) title block reference; 3) note #4 reference to lot labels; seconded by Tom Moore. All were in favor.**

Steve Jackson returned to the table.

Sno-Bowl at NHMS – Chairman Dow informed Mr. Zudell and Mr. Gappens that it has come to the attention of some that competitors are planning to camp at the track during the weekend of the Sno-Bowl. He said that the Board had said in discussion that there would be no camping and that they were thinking spectators. Mr. Dow said that competitors typically camp with their sleds and stay with them. He said this would be in a fenced area. Mr. Dow said this came up at the recent Board of Permit meeting and he has since talked with Bob Fiske about the matter. Chairman Dow stated that Mr. Fiske has no problem with this as long as it is alright with the Planning Board. He said this just needs to be clarified and that there would be no general public camping. Jerry Gappens explained that the traveling teams would camp in a secured area, noting their concern of theft if at hotels. John Zudell noted that the competitors would equal less than 1% of summer campers. Jerry Gappens said that he wants to clarify that they are not selling or promoting camping for this event. There was discussion of what was discussed at the last meeting. Chairman Dow said he would put something together for Code Enforcement if all were in agreement. The Board agreed.

#09-23, BDJ Real Estate, LLC – Condominium Conversion/Subdivision, Located on Staniels Road in the C/I District, Map 1, Lot 58. Jeff Green stepped down from the Board. Mr. Green of J L Green Enterprises represented the applicant. Chairman Dow explained that Mr. Bollinger, the applicant, recently passed away. He stated that he had

Donna get a letter from Mr. Bollinger's attorney for the record; he read the letter to the Board.

Jeff Green reviewed what has been done with the conversion to this point; the first thing done was a review of the condo documents by the town's attorney. He explained that Mr. Bollinger's attorney made changes to the documents based on that review. Donna handed out a summary of the changes that were made. Mr. Green pointed out on the plans that he has labeled the limited common areas. He explained that each unit will have two spaces designated for their unit. All other spaces will be considered common area. Mr. Green showed the calculation of parking spaces in a table on the plan; these were taken from the approved site plan. He said each unit will have one space at the front of the building and one at the rear. Mr. Green went over the parking calculations and explained how each unit is figured.

Steve Ives asked about heat in the storage areas and what would happen if someone made that area into all office space. He asked who would police that. Mr. Green explained that a change of use has to go before the Board as outlined in the condo documents. The Board reviewed a floor plan for the building. Mr. Green said this would be recorded as an as-built with the condominium subdivision plan.

Steve Jackson referred to a note on the plan about the paving of the parking lot. He read from Section 13.4.9 e of the Land Development Regulations. Mr. Green explained that he has to show what is actually there at the time of the plan. He said this is based on the site plan. There was discussion of conveyance and possession of the units and site plan completion. Mr. Green said that the parking area will be paved before Certificates of Occupancy will be issued.

Chairman Dow closed the hearing to the public and opened it to the Board only.
Tom Moore made a motion to approve the condominium subdivision plan; seconded by Steve Jackson. All were in favor.

Jeff Green returned to the table.

New Business:

Board Discussion:

Stan Prescott stated the he attended a site walk on Piper Hill Road (Map 22, Lot 48) with the ZBA and Conservation Commission. He said there is a request to allow the driveway in the setback because of a wetland. Mr. Prescott said that he felt the request was reasonable. The Board is all set with the request and this will be conveyed to the ZBA.

Report of the ZBA:

Donna reported that there are three applications before the ZBA this month. There is a special exception for reduced setbacks due to wetlands and there are two special exceptions for reduced setbacks and a used auto sales business at another property.

Report of the Board of Permit:

Stan Prescott reported that the following items were on the agenda:

1. Hawkers and peddlers permit for the Recreation Committee to sell raffle tickets
2. NHMS – no camping
3. Banners – limit two per business
4. FEMA flood maps approved

Other:

Villages at Loudon - Julie Robinson asked if the findings of the site walk went to town counsel. The chairman asked if she had talked with Dan Geiger as he was at the site walk. Mrs. Robinson said that Mr. Geiger thought the matter had to go to town counsel. Chairman Dow gave an overview of the discussion at the site walk.

Memory Lane - Julie Robinson said that Rob Buzzell went to mark the common area of the open space subdivision and found that no bounds have been marked. Steve Jackson said that the corners of the lots have been done. There was discussion on how to measure to locate the rear of the lots and define the open space.

Adjournment: A motion to adjourn at 8:40 p.m. was made by Tom Moore; seconded by Stan Prescott. All were in favor.

Respectfully submitted,

Donna White
Administrative Assistant

(Administrative Assistant's Note: In a review of the tapes of the December 17, 2009 meeting I did not find any discussion of camping during the Sno-Bowl event. In a review of the tapes of the November 19, 2009 meeting where there was discussion only (no formal application/public hearing) about the Sno-Bowl I found brief conversation about camping in general.)